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# Congress of the United States

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October 26, 2005

The Honorable Alberto Gonzales  
Attorney General of the United States  
U.S. Department of Justice  
950 Pennsylvania Ave, NW  
Washington, D.C. 20530

Dear Mr. Attorney General,

I am in receipt of your response to my May 20, 2004 request for a special counsel signed by myself and 14 other members to investigate the role of senior officials in the abuse of detainees. Dated July 11, 2005, your response took 14 months to craft and failed to explain why your office refuses to appoint an independent investigator to determine whether criminal charges are warranted against members of the Bush Administration. I respectfully submit that your response is inadequate and unacceptable.

In our letter, we asked that you appoint a special counsel to investigate the criminal sanctioning of detainee abuse by *senior members* of the Bush Administration. The Department's guidelines require no less when the conflict of interest is so glaringly obvious. Therefore, your answer that one Central Intelligence Agency contractor had been indicted is completely beside the point, and in fact, bolsters our contention that *senior officials have evaded accountability*.

The Administration's own investigations have confirmed over twenty murders and at least 130 allegations of abuse punished so far by the military.<sup>1</sup> However, those military investigations did not have the authority to investigate high-ranking military officials, nor the role of other agencies such as the Justice Department, the Central Intelligence Agency or White House staff.

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<sup>1</sup>Press Release, United States Army, Army releases findings in detainee-abuse investigations, May 5, 2005, [http://www4.army.mil/ocpa/read.php?story\\_id\\_key=7293](http://www4.army.mil/ocpa/read.php?story_id_key=7293); Press Release, American Civil Liberties Union, U.S. Operatives Killed Detainees During Interrogations in Afghanistan and Iraq, Oct. 24, 2005, <http://www.aclu.org/news/NewsPrint.cfm?ID=19298&c=36> (reflecting the findings of autopsy reports released in response to a Freedom of Information Act request).

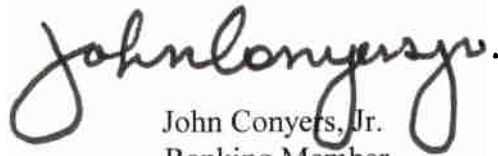
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In fact, a special counsel would be the only person with the authority and autonomy to investigate the evidence against you and other senior officials that appears to substantiate a conspiracy to violate international and U.S. law prohibiting the torture, and the cruel, inhuman and degrading treatment of detainees. That you are still personally and ultimately responsible for the criminal investigations of detainee abuse is an egregious conflict of interest.

It has been nearly a year and half since the first public allegations of detainee abuse and there are now more unanswered questions than ever. The Administration's claims that the numerous and closely related incidents of abuse, occurring in at least three different locations spanning continents, was not coordinated at the highest levels of government, is simply implausible.

I look forward to hearing from you immediately why you have not appointed a special counsel to investigate these substantial allegations against senior officials that I have raised twice now in the last year and a half. Please contact me through Perry Apfelbaum or Ted Kalo of my Judiciary Committee Staff at 2142 Rayburn House Office Building, Washington, DC 20515, (tel: 202-225-6504; fax: 202-225-4423).

Sincerely,



John Conyers, Jr.  
Ranking Member  
House Judiciary Committee

cc: The Honorable William Moschella,  
Assistant Attorney General  
The Honorable F. James Sensenbrenner,  
Chairman  
The Honorable Robert C. Scott  
The Honorable Sheila Jackson-Lee  
The Honorable Jerrold Nadler  
The Honorable Anthony D. Weiner  
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The Honorable James P. Moran  
The Honorable Dennis J. Kucinich  
The Honorable Donald M. Payne  
The Honorable Maurice D. Hinchey